

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK

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MINEDMAP, INC., a Nevada : 1:19-CV-00501-DNH-CFH
corporation;

**REQUEST FOR COURT
CONFERENCE**

Plaintiff, :

against : **(ECF Case)**

MICHAEL MARANDA, an individual; :
MICHAEL CARTER, an individual, et
al.

Defendants. :

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Plaintiffs, MinedMap Inc., through counsel, WILLIAMS LLP, requests a Court Conference under L.R. 7.1(b)(2) at this Court's earliest convenience because Michael Maranda et al. have moved Plaintiff's Miners from Oswego, New York and has sold many of Plaintiff's Miners to third parties. Plaintiff has therefore prepared a Motion for civil and criminal contempt as well as a Motion for expedited discovery to allow Plaintiff to discover the

identifies of the other individuals to whom Michael Maranda transferred Plaintiff's Miners:

CERTIFICATION OF CONFERRAL WITH DEFENDANTS' COUNSEL

Plaintiff's Counsel tried conferring with Defendants' Counsel for one week, but Defendants' counsel has not responded to Plaintiff's counsel's request for a telephonic conference. Although Defendants' counsel indicated Defendants wanted to resolve the issue raised in this Request, Defendants' counsel has not taken any concrete steps towards resolution.

MOTION FOR COURT CONFERENCE

In an Order issued on June 19, 2020, this Court ordered Michael Maranda and other Defendants to identify the location of Plaintiff's Miners to allow for Plaintiff to pick up its Miners. *See* ECF Doc. No. 77. In second Order, issued the same day, the Court Ordered Michael Maranda and the other Defendants to identify the IP addresses of the location of Plaintiff's Miners. *See* ECF Doc. No. 76. As it turns out, and as Plaintiff previously feared, the information that Defendants' counsels provided was not only inaccurate but there were false.

Plaintiff's Miners were never at the location identify by John Harwick, Esq. and Benjamin Neidl, Esq. The IP addresses

provided by John Harwick, Esq. and Benjamin Neidl, Esq. were fake—those were never the IP addresses at which Plaintiff's Miners were hosted. In fact, as of April 21, 2021, Michael Maranda sold 93 of Plaintiff's Miners to an individual named Nuno Matos, who lives in Boston. That individual picked up Plaintiff's Miners from Michael Maranda and from Michael Carter on April 23, 2021, and paid Michael Maranda and Michael Carter more than \$22,000.00 via a check drawn on TD Bank.

Mr. Matos later discovered, through a comparison of serial numbers, that the Miners Michael Maranda and Michael Carter sold to him had been stolen. *See* Email from Nuno Matos, attached as **Exhibit A**. Michael Maranda later admitted to Nuno Matos that the Miners belonged to MinedMap but asked that Nuno keep quiet about the Miners and act as if he did not know of the origin of the Miners. Further, and through other text messages with Nuno Matos, Michael Maranda explained that the rest of Plaintiff's Miners were sent to an individual name Lars (last name unknown) in Hennepin, Illinois. *See* Text Message Exchange attached as **Exhibit B**.

Around that same time, Michael Maranda, and Michael Carter also sold an unknown number of Plaintiff's Miners and received more than \$75,000.00 for them. Plaintiff has obtained information

from Kevin Caraccioli, the City Attorney for the City of Oswego, New York, that Plaintiff's Miners are no longer at the location that John Harwick, Esq. and Benjamin Neidl, Esq. represented Plaintiff's Miners were located. Plaintiff has attached a picture of the location that John Harwick, Esq. and Benjamin Neidl represented Defendant were holding Plaintiff's Miners as Exhibit C.

For these reasons, Plaintiff seeks to file a motion for civil and criminal contempt against Michael Maranda, Michael Carter, and others for expressly violating this Court's Orders. What is more, because Michael Maranda admitted in text messages with Nuno Matos that he transferred some of Plaintiff's Miners to an individual name Lars in Hennipin, Illinois, Plaintiff seeks expedited discovery of more information on this individual, including Lars's last name, address, telephone number, business information, the location of Plaintiff's Miners, among other information.

Based on the above, Plaintiff seeks a Court Conference as soon as this Court can hold such a conference to help Plaintiff resolve this issue.

Dated this 27th day of April 2021.

New York, New York

RESPECTFULLY SUBMITTED,

/s/ T. Edward Williams, Esq.

T. Edward Williams, Esq. Bar No. 5634738

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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October 2021, this
REQUEST FOR COURT CONFERENCE was served on these individuals:

John Harwick, Esq. *via ECF*
Benjamin Niedl, Esq.
Counsel for Defendants